

1 BARRY J. PORTMAN  
Federal Public Defender  
2 RONALD C. TYLER  
Assistant Federal Public Defender  
3 450 Golden Gate Avenue  
San Francisco, CA 94102  
4 Telephone: (415) 436-7700  
5 Counsel for Defendant NELSON  
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7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 vs.  
13 MICHAEL ANTHONY NELSON,  
14 Defendant.  
15

)  
) No. CR 10-0244 EMC  
)  
)

) STIPULATION AND ~~[PROPOSED]~~  
) ORDER TO CONTINUE HEARING  
)  
)  
)  
)

16 **STIPULATION**

17 The parties agree to continue the hearing in the above-captioned matter by two weeks from  
18 September 7, 2011 until September 21, 2011 at 3:00 p.m. The purpose of the continuance is to  
19 afford additional time for defense counsel to respond to factual assertions raised in the government's  
20 opposition. Defendant's reply will be due September 14, 2011. The requested continuance takes  
21 into account the absence of defense counsel currently on leave from August 16 until August 30.

22 The parties agree that the period from September 7, 2011 until September 21, 2011 is  
23 expressly excluded by statute from any otherwise applicable time limits under the Speedy Trial Act.  
24 18 U.S.C. § 3161(h)(1)(d) (time excluded through hearing or other prompt disposition of motion).

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Stipulation and Order to Continue Hearing;  
*U.S. v. Michael Anthony Nelson*; CR 10-0244 EMC

1 IT IS SO STIPULATED:

2 DATED: August 24, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
RONALD TYLER  
Assistant Federal Public Defender

5 MELINDA HAAG  
United States Attorney

7 DATED: August 24, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
MICHELLE KANE  
Assistant United States Attorney

11 ~~[PROPOSED]~~ ORDER

12 For the aforementioned reasons, this matter is continued until September 21, 2011 at 3:00 p.m.

13 Pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(d), the period from September 7,  
14 2011 until September 21, 2011 is excluded in computing the time within which the trial in this  
15 matter must commence.

16 IT IS SO ORDERED.

17  
18 DATED: 8/30/11 \_\_\_\_\_

